

MONDAY, MARCH 8, 2010

SIXTY-FIFTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Reverend Chad Erickson of First Apostolic Church in Maryville, Tennessee, a guest of Senator Overbey.

PLEDGE OF ALLEGIANCE

Senator Overbey led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

COMMUNICATION

March 8, 2010

The Honorable Ron Ramsey
Speaker of the Senate
Suite 1, Legislative Plaza
Nashville, Tennessee 37243

Dear Speaker Ramsey:

As I notified Russell Humphrey, I would like to be excused from Session on Monday, March 8 due to having to go to Corinth, Mississippi on business.

Thank you for your consideration of this matter.

Sincerely,

/s/ Senator Rusty Crowe

APPROVED: Lieutenant Governor
Ron Ramsey

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PRESENTATION

Senator Overbey presented **Senate Joint Resolution No. 693** to Leadership Blount.

MOTION

Senator McNally moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 2979** on the calendar for the Committee on Finance, Ways and Means for Tuesday, March 9, 2010, which motion prevailed.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3931** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 3931 by Senator Ketron.

Rutherford County -- As introduced, subject to local approval, terminates office of county attorney and authorizes county to contract with attorneys for the provision of legal services. Repeals Chapter 123 of the Private Acts of 1955 and Chapter 67 of the Private Acts of 1957.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bill No. 2581** be passed on first consideration, which motion prevailed.

HOUSE BILL ON FIRST CONSIDERATION

The Speaker announced that the following House Bill was transmitted to the Senate and passed first consideration:

House Bill No. 2581 -- Drugs -- As introduced, revises reporting requirements concerning persons obtaining or attempting to obtain controlled substances. Amends TCA Title 53, Chapter 11.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 838 through 850** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

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Senate Joint Resolution No. 838 by Senator Beavers.

Memorials, Academic Achievement -- Jonathon Smith, Salutatorian, Macon County High School.

Senate Joint Resolution No. 839 by Senator Beavers.

Memorials, Academic Achievement -- Elissa McLerran, Valedictorian, Clay County High School.

Senate Joint Resolution No. 840 by Senator Beavers.

Memorials, Academic Achievement -- Adam Copass, Salutatorian, Clay County High School.

Senate Joint Resolution No. 841 by Senator Beavers.

Memorials, Academic Achievement -- Richard Roberts, Salutatorian, Clay County High School.

Senate Joint Resolution No. 842 by Senator Beavers.

Memorials, Academic Achievement -- Simone Ilia, Valedictorian, Macon County High School.

Senate Joint Resolution No. 843 by Senator Beavers.

Memorials, Academic Achievement -- Lizzie Monroe, Valedictorian, Clay County High School.

Senate Joint Resolution No. 844 by Senator Stewart.

Memorials, Retirement -- Ron Brooks.

Senate Joint Resolution No. 845 by Senator Kyle.

Memorials, Retirement -- Linda K. Miller, Program Director, Operation: Safe Community; Executive Director, Memphis Shelby Crime Commission.

Senate Joint Resolution No. 846 by Senator Yager.

Memorials, Public Service -- Louise Crowe.

Senate Joint Resolution No. 847 by Senator Yager.

Memorials, Death -- Wallace Clifford Austin.

Senate Joint Resolution No. 848 by Senator Black.

Memorials, Death -- Chief Warrant Officer 2 Billie Jean Grinder, Tennessee Army National Guard.

Senate Joint Resolution No. 849 by Senator McNally.

Memorials, Retirement -- Dr. James Noseworthy, President, Hiwassee College.

Senate Joint Resolution No. 850 by Senator Woodson.

Naming and Designating -- "Youth Art Month", March 2010.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 861 and 870 through 873; Senate Joint Resolutions Nos. 833 and 835 through 837; and Senate Resolutions Nos. 201 and 202** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

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House Joint Resolution No. 861 -- Naming and Designating -- "Kappa Alpha Psi Fraternity Day on the Hill", March 9, 2010.

The Speaker announced that he had referred House Joint Resolution No. 861 to the Committee on State and Local Government.

House Joint Resolution No. 870 -- Naming and Designating -- "Motorcycle Safety and Awareness Month", May 2010.

The Speaker announced that he had referred House Joint Resolution No. 870 to the Committee on State and Local Government.

House Joint Resolution No. 871 -- Memorials, Recognition -- BlueLinx Corporation, Volunteer STAR Safety Award.

The Speaker announced that he had referred House Joint Resolution No. 871 to the Committee on Calendar.

House Joint Resolution No. 872 -- Memorials, Retirement -- Jessie S. Powers.

The Speaker announced that he had referred House Joint Resolution No. 872 to the Committee on Calendar.

House Joint Resolution No. 873 -- Memorials, Death -- Allan Silvio Williams.

The Speaker announced that he had referred House Joint Resolution No. 873 to the Committee on Calendar.

Senate Joint Resolution No. 833 -- Memorials, Death -- Charlene Walker.

The Speaker announced that he had referred Senate Joint Resolution No. 833 to the Committee on Calendar.

Senate Joint Resolution No. 835 -- Memorials, Recognition -- Volunteer Energy Cooperative, 75th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 835 to the Committee on Calendar.

Senate Joint Resolution No. 836 -- Naming and Designating -- "Police Memorial Day", May 15, 2010; "Police Memorial Week", May 9-15, 2010.

The Speaker announced that he had referred Senate Joint Resolution No. 836 to the Committee on State and Local Government.

Senate Joint Resolution No. 837 -- Memorials, Recognition -- Buddy Testerman.

The Speaker announced that he had referred Senate Joint Resolution No. 837 to the Committee on Calendar.

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Senate Resolution No. 201 -- Memorials, Recognition -- Saint Mark Baptist Church, 100th anniversary.

The Speaker announced that he had referred Senate Resolution No. 201 to the Committee on Calendar.

Senate Resolution No. 202 -- Memorials, Recognition -- Herman Williams, Jr.

The Speaker announced that he had referred Senate Resolution No. 202 to the Committee on Calendar.

MOTION

Senator Southerland moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 2403** on the calendar for the Committee on Environment, Conservation and Tourism for Tuesday, March 9, 2010, which motion prevailed.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 817 -- Memorials, Professional Achievement -- Gus Jaibat, Business Person of the Year.

Senate Joint Resolution No. 818 -- Memorials, Professional Achievement -- Faye Green, Joe Quirk Educator of the Year Award.

Senate Joint Resolution No. 819 -- Memorials, Professional Achievement -- Ruby Richardson, Cornerstone Lifetime Achievement Award.

Senate Joint Resolution No. 820 -- Memorials, Professional Achievement -- Connie McDermott, R. Frank McKinney Distinguished Service Award.

Senate Joint Resolution No. 824 -- Memorials, Death -- Captain Marcus R. Alford, Sr., Tennessee Army National Guard.

Senate Joint Resolution No. 825 -- Memorials, Recognition -- Knoxville Area Rescue Ministries, 50th anniversary.

Senate Joint Resolution No. 826 -- Memorials, Personal Occasion -- Arvel "Darb" and Minnie Cross, 71st wedding anniversary.

Senate Joint Resolution No. 827 -- Memorials, Retirement -- Barbara Chinery.

Senate Joint Resolution No. 828 -- Memorials, Death -- Elizabeth Anderson Prather.

Senate Joint Resolution No. 829 -- Memorials, Death -- James Leon Berrong.

House Joint Resolution No. 860 -- Memorials, Recognition -- Humboldt General Hospital, Gold Seal of Approval.

House Joint Resolution No. 862 -- Memorials, Recognition -- Kenneth Hines.

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House Joint Resolution No. 863 -- Memorials, Recognition -- Kenneth and Estelle Ward.

House Joint Resolution No. 865 -- Memorials, Retirement -- Brenda Aikens.

House Joint Resolution No. 866 -- Memorials, Retirement -- Ann Medford, Haywood County Clerk.

House Joint Resolution No. 867 -- Memorials, Retirement -- Pam Deen, Tipton County Clerk.

House Joint Resolution No. 868 -- Memorials, Recognition -- Le Bonheur Children's Medical Center.

House Joint Resolution No. 869 -- Memorials, Recognition -- Le Bonheur Children's Medical Center, grand opening of new pediatric facility, June 15, 2010.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 2875 -- Wills -- As introduced, allows a court to modify the terms of a will in manner that is not contrary to the testator's probable intention in order to achieve the testator's tax objectives and the court may provide that the modification has retroactive effect. Amends TCA Title 16, Chapter 3 and Title 32, Chapter 3.

On motion, Senate Bill No. 2875 was made to conform with **House Bill No. 3036**.

On motion, House Bill No. 3036, on same subject, was substituted for Senate Bill No. 2875.

Senate Bill No. 3130 -- Child Abuse -- As introduced, removes the district attorney general from the list of participants involved with the independent local advisory board for each county in which the multi-level response system, which is used to protect children from abuse, is operating. Amends TCA Title 37, Chapter 5.

Senate Bill No. 3529 -- Trusts -- As introduced, enacts the Tennessee Community Property Trust Act of 2010, which allows a married couple to voluntarily choose to transfer property to a trust and convert such property to community property. Amends TCA Title 35.

On motion, Senate Bill No. 3529 was made to conform with **House Bill No. 3863**.

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On motion, House Bill No. 3863, on same subject, was substituted for Senate Bill No. 3529.

Senate Bill No. 3725 -- Civil Procedure -- As introduced, revises method of serving summons for forcible entry and detainer warrants; allows sheriff to post copy of warrant on premises after three failed attempts of personal service of process within six days instead of 10 days from required date of appearance. Amends TCA Title 29, Chapter 18.

Senate Bill No. 3808 -- Unclaimed Property -- As introduced, authorizes the treasurer to set a minimum dollar value for unclaimed property paid or delivered to the treasurer that requires the mailing of a notice instead of requiring that the minimum value be \$50.00; and authorizes the treasurer to claim unclaimed property from any other state on behalf of any Tennessee state department, agency, board, commission, or institution, including a public institution of higher education. Amends TCA Title 66, Chapter 29, Part 1.

Senate Bill No. 3841 -- Securities -- As introduced, defines "investment-related" under the Tennessee Securities Act; authorizes a civil penalty for violations of Act; revises other various provisions of Act. Amends TCA Title 48, Chapter 2, Part 1.

Senate Joint Resolution No. 767 -- General Assembly, Statement of Intent or Position -- Expresses support for the Tennessee Chapter of the Trail of Tears Association and commemorative events honoring Native Americans.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 2645 -- Contractors -- As introduced, removes lien authorization for unlicensed residential or home improvement contractor if work is performed in a jurisdiction which requires such persons to be licensed. Amends TCA Title 39; Title 62, Chapter 6 and Title 66, Chapter 11.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "§ 62-6-501(4)(A)" from § 66-11-150 of Section 1 in the printed bill, and by substituting instead the language "§ 62-6-501(4)".

On motion, Amendment No. 1 was adopted.

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Thereupon, **Senate Bill No. 2645**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

MOTION

Mr. Speaker Ramsey moved that Rule 9 be suspended for the purpose of allowing Representative Eldridge to introduce Little Jimmie Dickens to the Senate, which motion prevailed.

CALENDAR

Senate Bill No. 2982 -- Drugs -- As introduced, creates Class A misdemeanor for production, manufacture, distribution, possession, or possession with intent to produce, manufacture, or distribute the synthetic cannabinoids JWH-018, JWH-073 and HU-210. Amends TCA Title 39, Chapter 17, Part 4.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the language ", or any combination of chemical compounds that constitute synthetic cocaine" immediately after the language "and HU-210" in subsection (a) of Section 1 of the printed bill.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2982**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Finney moved that **Senate Bill No. 3203** be placed on the Calendar for Wednesday, March 10, 2010, which motion prevailed.

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Senate Bill No. 3840 -- Securities -- As introduced, makes various technical changes to the Tennessee Securities Act of 1980 concerning disciplinary hearings, securities registration depository systems, the IDEA system, and certain other subjects. Amends TCA Title 48, Chapter 2.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 3 of the printed bill and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 48-2-115(f), is amended by deleting the subsection in its entirety and substituting instead the following language:

(f)(1) The commissioner may designate filing depositories for all records required to be filed and maintained under this part. These records may be maintained in original form or by means of microfilm, microfiche, microphotographic reproduction, photographic reproduction, word processing, computerization, or other acceptable reproductive methods.

(2) The commissioner is further authorized to participate, in whole or in part, in the Central Registration Depository systems Web Central Registration Depository (Web CRD) and Web Investment Advisers Registration Depository (IARD), in cooperation with the Financial Industry Regulatory Authority (FINRA), the North American Securities Administrators Association (NASAA), other states, the United States, and other entities, to the extent the commissioner deems participation as being in the public interest and necessary for the protection of investors.

(3) The commissioner is further authorized to participate, in whole or in part, in securities registration depository systems, in cooperation with the NASAA, other states, the United States, and other entities, to the extent the commissioner deems participation as being in the public interest and necessary for the protection of investors.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3840**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 3877 -- Livestock -- As introduced, deletes Tennessee Public Livestock Market Charter Act; revises other various provisions regarding livestock. Amends TCA Title 44.

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Senator Gresham declared Rule 13 on **Senate Bill No. 3877**.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "9 C.F.R. 201 et seq." in the third subdivision in Section 4 of the printed bill and substituting instead the language "9 C.F.R. § 201 et seq."

AND FURTHER AMEND by deleting the language "captive farmed" from the first subdivision in Section 6 of the printed bill and substituting instead the language "captive-farmed".

AND FURTHER AMEND by deleting the language "Person" in subsection (a) of Section 7 of the printed bill and substituting instead the language "person".

AND FURTHER AMEND by deleting the language "9 C.F.R.201" in subdivision (a)(1)(E) in Section 7 of the printed bill and substituting instead the language "9 C.F.R. § 201 et seq."

AND FURTHER AMEND by adding "§" after the language "by" and before the number "44-11-104" in subdivision (a)(2) in Section 7 of the printed bill.

AND FURTHER AMEND by deleting the language "and" in subdivision (b)(1) in Section 7 of the printed bill and substituting instead the language "or".

AND FURTHER AMEND by inserting the language "the" after the language "deleting" and before the language "section in its entirety" in the directory language of Section 10 of the printed bill.

AND FURTHER AMEND by deleting the language "44-11-106" in the directory language of Section 11 of the printed bill and substituting instead "44-11-106(a)".

AND FURTHER AMEND by deleting the first subdivision in Section 11 of the printed bill and substituting instead the following:

() The licensee has failed to comply with the Beef Promotion and Research Act of 1985, compiled in 7 U.S.C. §§ 2901-2911, or the Agriculture Commodities Promotion Act, compiled in § 43-29-101 et seq.;

AND FURTHER AMEND by adding the language "complied in" immediately after the language "Uniform Administrative Procedures Act," and before the word "title" in subsection (b) in Section 12 of the printed bill.

AND FURTHER AMEND by adding the language "adding the" immediately after the language "entirety and by" in the directory language of Section 15 of the printed bill.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3877**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 2480 -- Education -- As introduced, requires local boards of education to give preference to parent's request in classroom placement of multiple birth siblings. Amends TCA Section 49-6-3102, as amended.

Senator Herron declared Rule 13 on **Senate Bill No. 2480**.

Thereupon, **Senate Bill No. 2480**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2530 -- Lottery, Charitable -- As introduced, extends deadline for applications for 2009-2010 annual events from 15 days after May 7, 2009, to five days after this act becomes law; requires secretary of state to submit third omnibus list for 2009-2010 annual events. Amends TCA Title 3, Chapter 17, Part 1.

On motion, Senate Bill No. 2530 was made to conform with **House Bill No. 2669**.

On motion, House Bill No. 2669, on same subject, was substituted for Senate Bill No. 2530.

Senator Tracy moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 3-17-102(1), is amended by adding the following language as a new subdivision:

(E) Has been in continuous and active existence in Tennessee for three (3) years immediately preceding the event date listed in an annual event application as an organization described in § 501(c)(3) of the Internal Revenue Code, and has merged with an organization that had been in continuous and active existence in Tennessee for at least five (5) years as an organization described in § 501(c)(3) of the Internal Revenue Code;

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SECTION 2. Tennessee Code Annotated, Section 3-17-103(a)(1)(A), is amended by adding the following language as a new subdivision:

(iv) Notwithstanding any provision of this chapter to the contrary, within fifteen (15) calendar days after this act becomes law, for the annual event period beginning July 1, 2010, and ending June 30, 2011.

SECTION 3. Tennessee Code Annotated, Section 3-17-103(b), is amended by adding the following language as a new subdivision:

(4) In addition to the omnibus lists transferred to the clerk of the Senate and the clerk of the House of Representatives by March 1, 2010, the secretary shall transfer an additional omnibus list listing any organizations approved pursuant to subdivision (a)(1)(A)(iv) and subsection (f) for the annual event period beginning July 1, 2010, and ending June 30, 2011. The list shall be transferred in a manner consistent with subdivision (b)(1) by twelve o'clock (12:00) noon central daylight time (CDT) within thirty (30) calendar days after this act becomes law.

SECTION 4. Tennessee Code Annotated, Section 3-17-103(f)(1), is amended by adding the following language as a new subdivision:

(D) Notwithstanding any provision of this chapter to the contrary, within fifteen (15) calendar days after this act becomes law, for the annual event period beginning July 1, 2010, and ending June 30, 2011.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2669**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

Senator present and not voting was: Henry--1.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2576 -- Planning, Public -- As introduced, extends the requirement that any land use decisions made by a legislative body or planning commission after the adoption of a general regional plan be consistent with the plan to also apply to a board of zoning appeals when

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such board is exercising its powers on matters other than variances. Amends TCA Section 13-3-304(b) and Section 13-4-202(b)(2)(B)(iii).

HOUSE AMENDMENT NO. 1

AMEND by deleting the effective date section and by substituting instead the following:

SECTION _____. This act shall take effect July 1, 2011, the public welfare requiring it.

Senator Haynes moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2576**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

PRESENTATION

Senator Kelsey introduced Barry Brunetti of the Memphis University School football team to the Senate.

MOTION

On motion of Senators McNally, Woodson and Faulk, their names were added as sponsors of **Senate Joint Resolution No. 824**.

On motion of Senators McNally, Woodson and Overbey, their names were added as sponsors of **Senate Joint Resolution No. 825**.

On motion of Senators McNally, Burchett and Woodson, their names were added as sponsors of **Senate Joint Resolution No. 829**.

On motion of Senators Herron and Finney, their names were added as sponsors of **House Joint Resolution No. 860**.

On motion of Senator McNally, his name was added as sponsor of **House Joint Resolutions Nos. 862 and 863**.

On motion of Senators McNally and Yager, their names were added as sponsors of **House Joint Resolution No. 865**.

On motion of Senators Herron and Gresham, their names were added as sponsors of **House Joint Resolution No. 866**.

On motion of Senators Herron and Norris, their names were added as sponsors of **House Joint Resolution No. 867**.

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On motion of Senators Herron, Marrero, Norris, Tate, Kyle, Ford, Kelsey, Black, Berke and Woodson, their names were added as sponsors of **House Joint Resolutions Nos. 868 and 869.**

On motion of Senators Faulk, Marrero and Herron, their names were added as sponsors of **Senate Joint Resolution No. 767.**

On motion of Senator Burks, her name was added as sponsor of **Senate Bill No. 2982.**

On motion of Senator Berke, his name was added as sponsor of **Senate Bill No. 3203.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Bill No. 3877.**

On motion of Senators Berke and Faulk, their names were added as sponsors of **Senate Bill No. 2480.**

On motion of Senator Marrero, her name was added as prime sponsor of **Senate Bills Nos. 1765, 1766 and 1942.**

On motion of Senator Herron, his name was removed as sponsor of **Senate Bills Nos. 1765 and 1766.**

On motion of Senator Stewart, his name was added as sponsor of **Senate Bill No. 1788.**

On motion of Senator Johnson, his name was added as sponsor of **Senate Bill No. 2178.**

On motion of Senators Henry and Barnes, their names were added as sponsors of **Senate Bill No. 3650.**

On motion of Senator Henry, his name was added as sponsor of **Senate Bills Nos. 3716 and 3717.**

On motion of Senator Overbey, his name was added as sponsor of **Senate Bill No. 3189.**

On motion of Mr. Speaker Ramsey, his name was added as sponsor of **Senate Bill No. 2575.**

On motion of Senator Kyle, his name was added as sponsor of **Senate Bill No. 3316.**

On motion of Senator Watson, his name was added as prime sponsor of **Senate Bill No. 744.**

On motion of Senator Beavers, her name was removed as sponsor of **Senate Bill No. 744.**

ENGROSSED BILLS

March 8, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2480, 2645, 2982, 3130, 3725, 3808, 3840, 3841 and 3877; and Senate Joint Resolutions Nos. 767, 817, 818, 819, 820, 824, 825, 826, 827, 828 and 829; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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MESSAGE FROM THE HOUSE

March 8, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2507, 2585, 2634, 2690, 2696, 2760, 3033, 3158, 3454, 3500, 3831 and 3849; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

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MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 754, 832, 833, 834, 874, 876, 877, 878, 879, 880, 881, 882, 883, 885 and 895; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

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MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2388 and 2731, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2496, 2793 and 2967; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2872, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 810, 813, 815 and 816; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MONDAY, MARCH 8, 2010 -- 65TH LEGISLATIVE DAY

ENROLLED BILLS

March 9, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 2388, 2496, 2576, 2731, 2793, 2872 and 2967; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

March 9, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 810, 813, 815 and 816; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 8, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 736, for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 9, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 860, 862, 863, 865, 866, 867, 868 and 869; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

March 8, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 2578 and 3046.

SIGNED

March 8, 2010

The Speaker announced that he had signed the following: House Bill No. 736.

SIGNED

March 9, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 810, 813, 815 and 816.

MONDAY, MARCH 8, 2010 -- 65TH LEGISLATIVE DAY

SIGNED

March 9, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 860, 862, 863, 865, 866, 867, 868 and 869.

MESSAGE FROM THE HOUSE

March 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1294, 2649, 2681, 2720, 3045, 3057, 3578, 3853 and 3872; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2578 and 3046, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 9, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 810, 813, 815 and 816; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 8, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1294, 2649, 2681, 2720, 3045, 3057, 3578, 3853 and 3872; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 9, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 2578 and 3046, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MONDAY, MARCH 8, 2010 -- 65TH LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK

March 9, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 810, 813, 815 and 816; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 8, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 789, 790, 791, 792, 795, 796, 797, 799, 802, 804, 805, 806, 807, 808 and 809; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following resolutions on the calendar for Wednesday, March 10, 2010: Senate Joint Resolutions Nos. 830 and 832.

This the 8th day of March, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 11, 2010: Senate Joint Resolutions Nos. 833, 835 and 837; Senate Resolutions Nos. 201 and 202; and House Joint Resolutions Nos. 871, 872 and 873.

This the 9th day of March, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 11, 2010: Senate Bills Nos. 2499, 2500, 2582, 2670, 2761, 2779, 2932, 3119, 3328, 3472, 3499 and 3515; and Senate Joint Resolutions Nos. 821, 822 and 823.

This the 9th day of March, 2010.
MIKE FAULK, Chairperson.

MONDAY, MARCH 8, 2010 -- 65TH LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, March 10, 2010: Senate Bills Nos. 1788, 2486, 3026, 3131, 3189, 3430 and 3464; and Senate Joint Resolution No. 765.

This the 8th day of March, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 11, 2010: Senate Joint Resolution No. 763; and Senate Bills Nos. 2403, 2778, 2814, 2974, 3379 and 3789.

This the 9th day of March, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, March 11, 2010: Senate Bills Nos. 2410 and 2846.

This the 9th day of March, 2010.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Wednesday, March 10, 2010, which motion prevailed.